

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Sharease Harrison,

Case No. 24-CV-2657 (JWB/ECW)

Petitioner,

v.

REPORT AND RECOMMENDATION

Federal Bureau of Prisons and Waseca
FCI,

Respondents.

In a letter dated July 9, 2024, the Clerk of Court directed petitioner Sharease Harrison to pay the \$5.00 filing fee for this habeas corpus matter or, if she was unable to pay that filing fee, apply for *in forma pauperis* (“IFP”) status. *See* Dkt. No 2. Harrison was given 15 days to pay the required filing fee or apply for IFP status, failing this action could be dismissed without prejudice. *See id.*

That deadline has now passed, and Harrison has not paid the filing fee or submitted an IFP application. In fact, Harrison has not communicated with the Court about this case at all since commencing this action. Accordingly, this Court now recommends, consistent with the warning previously given to Harrison, that this action be dismissed without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute. *See Henderson v. Renaissance Grand Hotel*, 267 F. App’x 496, 497 (8th Cir. 2008) (per curiam) (“A district court has discretion to dismiss an action under

Rule 41(b) for a plaintiff's failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.").

RECOMMENDATION

Based upon the foregoing, and on all of the files, records, and proceedings herein,
IT IS HEREBY RECOMMENDED that this action be **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(b) for failure to prosecute.

Dated: August 7, 2024

s/Elizabeth Cowan Wright
ELIZABETH COWAN WRIGHT
United States Magistrate Judge

NOTICE

Filing Objections: This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), "a party may file and serve specific written objections to a magistrate judge's proposed finding and recommendations within 14 days after being served a copy" of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. *See* Local Rule 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in Local Rule 72.2(c).